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CONGRESSIONAL BRIEFING

**United Nations:
Urgent Problems That Need Congressional Action**

Briefing before
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The United Nations was created to maintain international peace and security, promote self-determination and basic human rights, and protect fundamental freedoms. Regrettably, the past 65 years have yielded more disappointment than success realizing these high aspirations.

A great deal of the blame for this failure is due to divergent interests among the member states that have prevented the organization from taking decisive, timely action.

However, the UN system itself is partly to blame. The UN and many of its affiliated organizations are beset by outdated or duplicative missions and mandates, poor management practices, ineffectual oversight, and a general lack of accountability. As former Deputy Secretary-General Mark Malloch Brown recently stated to *The New York Times*, “There’s a huge redundancy and lack of efficiency” in the UN system and that the budget is “utterly opaque, untransparent and completely in shadow.”¹

These problems waste resources and undermine the UN’s ability to discharge its responsibilities effectively. The past six decades have seen dozens of initiatives from governments, think tanks, foundations, and panels of experts aimed at reforming the UN to make it more effective in meeting its responsibilities.² Although these reform efforts have seen rare success, for the most part they have failed due to opposition among the majority of the UN member states. Indeed, the U.S. almost always finds itself on the losing side in UN debates and votes when it proposes reforms to improve UN management, oversight, and accountability.

This happens because the bulk of the UN member states simply do not pay enough to the UN for inefficiency, waste, or corruption to trouble them. For instance, Sierra Leone is assessed 0.001 percent of the UN’s regular budget and 0.0001 percent of the peacekeeping budget. The U.S. is assessed 22 percent and 27.1 percent, respectively. Therefore, while Sierra Leone and the dozens of other countries with the same assessments pay less than \$35,000 per year to these budgets, the U.S. pays billions. With this in mind, is it surprising that the U.S. cares about how the UN is managed and how the funding is used, while most countries do not?

Yet, these are the countries that possess most of the votes. The combined assessment of the 128 least-assessed countries—two-thirds of the General Assembly—totals less than 1 percent of the UN’s regular budget and less than one-third of 1 percent of the peacekeeping budget, even though that group alone can, according to UN rules, pass the budget. These countries, combined with influential voting blocs in the UN, can and do block U.S. attempts to implement reforms and curtail budgets.³

There is another problem. American administrations are often interested in pressing for reform, but frequently that long-term agenda is abandoned in favor of achieving political objectives that are more immediate. Pressing for reform ruffles feathers at the UN. When the

¹ Matthew Saltmarsh, “A Bloated UN Bureaucracy Causes Bewilderment,” *New York Times*, January 5, 2011, <http://www.nytimes.com/2011/01/06/world/europe/06iht-nations06.html>.

² See Brett D. Schaefer, “A Progress Report on UN Reform,” Heritage Foundation Backgrounder No. 1937, May 19, 2006, at www.heritage.org/Research/InternationalOrganizations/bg1937.cfm.

³ See Brett Schaefer, “Who Leads the United Nations?” Heritage Foundation WebMemo No. 1054, December 4, 2007, at <http://www.heritage.org/research/reports/2007/12/who-leads-the-united-nations>.

U.S. is lobbying for votes on a resolution, the last thing our diplomats want to do is anger a mission by pressing for budgetary cuts or other reforms.

UN reform requires a longer perspective. The rare reform successes frequently share one thing in common: congressional involvement backed by the threat of financial withholding.

- After failing to arrest rapid growth in the UN budget in the early 1980s, former U.S. Ambassador to the UN Jeane Kirkpatrick testified that “[t]he countries which contribute more than 85 percent of the UN budget regularly vote against that budget, but are unable to prevent its increases because the countries who pay less than 10 percent of the budget have the votes.”⁴ This led Congress to pass the 1985 Kassebaum–Solomon amendment to the Foreign Relations Authorization Act for fiscal year (FY) 1986 and FY 1987, which withheld 20 percent of U.S. assessed contributions to the UN regular budget and specialized agencies until weighted voting on budgetary matters was adopted. Weighted voting was not adopted, but the UN did agree in 1986 to the consensus-based budgeting process (giving, in effect, each country an informal veto over the budget) as an informal rule, which helped greatly to constrain budget growth. Although this arrangement broke down in the mid-2000s, it provides a key insight into UN budgetary reform.⁵
- After former U.S. Attorney General Richard Thornburgh, who served as UN Under-Secretary-General for Administration and Management in 1992 and 1993, informed Congress of his failed attempts to persuade Secretary-General Boutros Boutros-Ghali to clamp down on mismanagement and waste, Congress decided to withhold UN funds until the General Assembly created an inspector general to monitor, audit, and inspect UN operations. The Office of Internal Oversight Services (OIOS) was created in 1994 as the UN’s primary investigative and auditing unit. Although it lacks true independence and is understaffed, the OIOS has contributed to savings and has exposed instances of mismanagement.
- As a condition for payment of accumulated arrears to the UN, Congress specified a series of reform benchmarks in the Helms–Biden United Nations Reform Act of 1999. Among other conditions, the legislation required the UN to reduce the U.S. assessments for the regular budget and the U.S. peacekeeping budget. The UN reduced the U.S. regular budget assessment to 22 percent and reduced America’s peacekeeping assessment, albeit not to the 25 percent sought by the U.S.

In addition, fear of congressional action, including financial withholding, helped to spur the UN to adopt new rules for UN peacekeepers to prevent sexual abuse and criminality, the UN to establish the Volcker commission to investigate the Iraqi Oil-for-Food program, and led the UN Development Program to suspend operations in North Korea until new procedures were adopted.

Regrettably, Congress has neglected its oversight role in recent years. UN reform legislation has not been seriously considered for years, and only a handful of UN oversight

⁴ Edward C. Luck, “Reforming the United Nations: Lessons from a History in Progress,” Academic Council on the United Nations System Occasional Paper No. 1, 2003, at <http://www.reformwatch.net/fitxers/58.pdf>.

⁵ The UN began violating this policy in 2006, culminating in passing the UN’s 2008-2009 biennial regular budget over the “no” vote of the U.S. Published on January 29, 2008 by Brett Schaefer, “Congress Should Withhold Funding for Spendthrift U.N.,” Heritage Foundation WebMemo No. 1786, at <http://www.heritage.org/research/reports/2008/01/congress-should-withhold-funding-for-spendthrift-un>.

hearings have been held in recent years. Meanwhile, U.S. contributions to the UN are at an all-time high.

That is why I am very pleased that the committee decided to hold a briefing on UN reform. History indicates that the quickest and most effective way of convincing the UN to implement reforms is for Congress to be strongly involved in its oversight role and, when necessary, to drive the process forward through financial incentives.

U.S. Contributions to the UN at an All-Time High

The United States is facing a budgetary crisis. In the coming months and years, Congress and the Administration will grapple with tough decisions on where and how much to reduce spending. Although U.S. contributions to the UN system are not a large part of the budget, there is no reason to exclude those contributions from the overall effort to identify areas where taxpayer dollars could be better spent. Indeed, UN budgets have grown even faster than the U.S. budget over the past decade.

America's recent contributions to the UN dwarf those from 10 years ago. According to the Office of Management and Budget, total U.S. contributions to the UN system were more than \$6.347 billion in FY 2009, compared to contributions totaling just \$3.183 billion in FY 2001.⁶ Increases have occurred throughout the UN system:

- *UN regular budget.* The UN regular budget has more than doubled from \$2.49 billion for the 2000–2001 biennium to the \$5.16 billion under the 2010–2011 budget approved by the General Assembly on December 23, 2009.⁷ This level of growth is extraordinary. The UN regular budget has increased even faster than the U.S. budget over that period. Already, the UN Secretary-General is projecting an increase in the 2012–2013 biennial budget of more than \$300 million. The U.S. is assessed 22 percent of the UN regular budget. The Administration's budget for FY 2011 requested \$516.3 million for the UN regular budget.
- *UN peacekeeping budget.* The UN peacekeeping budget increased more than threefold from \$1.7 billion in 2000–2001⁸ to \$7.2 billion in 2010–2011.⁹ However, this does not include the possibility of new or expanded missions, such as the proposed expansion for the mission in Cote d'Ivoire or UN support of the African Union mission in Somalia. The U.S. is assessed more than 27 percent of the UN peacekeeping budget. In dollar terms, the State Department's Contributions to International Peacekeeping Activities account was \$2.12 billion for FY 2010.
- *Other UN assessed contributions.* The State Department's Contributions to International Organizations account includes contributions to the UN regular budget, the UN Capital Master Plan, the Rwandan and Yugoslavian tribunals, 11 other UN organizations, and a

⁶ Brett Schaefer, "A Short United Nations To-Do List for the New Congress," by Heritage Foundation WebMemo No. 3064, November 18, 2010, at <http://www.heritage.org/research/reports/2010/11/a-short-united-nations-to-do-list-for-the-new-congress>

⁷ Brett Schaefer, "Time to Rein in the UN's Budget," Heritage Foundation Backgrounder No. 2368, February 3, 2010, at <http://www.heritage.org/research/reports/2010/02/time-to-rein-in-the-uns-budget>

⁸ Ibid.

⁹ United Nations, "General Assembly Adopts Peacekeeping Budget of \$7.2 Billion for Financial Year 1 July 2010 to 30 June 2011," Department of Public Information, June 24, 2010, at <http://www.un.org/News/Press/docs/2010/ga10955.doc.htm>

number of international organizations not affiliated with the UN.¹⁰ This account totaled \$880.5 million in 2000 and \$1.68 billion in 2010.¹¹ Excluding contributions to the UN regular budget, U.S. contributions to organizations that it categorized as part of the UN system were estimated in 2000 to be \$375 million in FY 2000¹² and \$645.5 million in FY 2010.¹³

- *Voluntary contributions.* The U.S. also provides voluntary contributions to a host of UN programs, funds, bodies, and other entities and as supplementary support for activities also funded through the assessed budgets. It is difficult to obtain a definitive figure on these contributions because they fluctuate and can originate from parts of the U.S. government other than the State Department, such as USAID or the Department of Agriculture.¹⁴ The State Department account for these contributions (International Organizations and Programs) was \$394 million for FY 2010.¹⁵ However, the Congressional Research Service estimated that in 2001 the U.S. provided “\$2.2 billion in voluntary contributions to UN-affiliated organizations and programs.”¹⁶ Last fall, the President’s National Commission on Fiscal Responsibility and Reform noted that the U.S. gives the UN system “more than \$3.5 billion in ‘voluntary’ funds each year.”¹⁷

When the U.S. and other governments are being forced to tighten their belts, it is reasonable to expect the UN and its affiliated organizations to similarly scrutinize their activities to determine how to trim their budgets to emphasize priorities. The rapid expansion of UN budgets over the past decade has been combined with minimal attempts at prioritization. Congress should not be shy in suggesting budgetary cuts.

Fighting for Budgetary Restraint in Turtle Bay

From the late 1980s through the 1990s, the U.S. insisted on a “zero growth” policy for the UN regular budget. An agreement reached in the 1980s (spurred by the Kassebaum–Solomon

¹⁰ The U.S. assessment for these organizations differs. For instance, the International Maritime Organization, the Universal Postal Union, and the International Telecommunications assessed the U.S., respectively, 3.18 percent, 5.92 percent and 7.34 percent of their budgets in 2010. Most of the organizations, however, base their assessment on the UN assessment and charge the U.S. between 20 percent and 25 percent of their assessed budgets. See http://assets.opencrs.com/rpts/RL33611_20100308.pdf.

¹¹ United States Department of State, “Congressional Budget Justification Fiscal Year 2009,” Table: Department of State Appropriations – Ten-Year History, p. 12, at <http://www.state.gov/documents/organization/100326.pdf> and United States Department of State, “Congressional Budget Justification Fiscal Year 2011,” Table: Department of State Appropriations – Ten-Year History, p. 14 and 542, at <http://www.state.gov/documents/organization/136355.pdf>.

¹² The United States Budget for Fiscal Year 2000, “State Department,” p. 710, at <http://www.gpoaccess.gov/usbudget/fy00/pdf/sta.pdf>.

¹³ United States Department of State, “Congressional Budget Justification Fiscal Year 2011: Volume 1 Department of State Operations,” p. 542, at <http://www.state.gov/documents/organization/136355.pdf>.

¹⁴ Brett Schaefer, “U.S. Funding of the United Nations Reaches All-Time High,” Heritage Foundation WebMemo No. 2981, August 13, 2010, at <http://www.heritage.org/research/reports/2010/08/us-funding-of-the-united-nations-reaches-all-time-high>.

¹⁵ United States Department of State, “Congressional Budget Justification Fiscal Year 2011: Volume 2 Foreign Operations,” p. 131, at <http://www.state.gov/documents/organization/137936.pdf>.

¹⁶ Vita Bite, “UN System Funding: Congressional Issues,” Congressional Research Service, Updated September 10, 2003, at <http://fpc.state.gov/documents/organization/24669.pdf>.

¹⁷ National Commission on Fiscal Responsibility and Reform, “Co-Chairs’ Proposal,” November 10, 2010, at http://www.fiscalcommission.gov/sites/fiscalcommission.gov/files/documents/Illustrative_List_11.10.2010.pdf.

amendment) required the UN regular budget to be adopted through consensus. This gave the U.S. and other countries a “veto” over the budget. By insisting on the zero growth policy, the U.S. was, for the most part, able to hold the UN regular budget stable, excluding adjustments for currency fluctuation and, later, for inflation.

However, America’s desire to involve the UN in Iraq and Afghanistan and to fund them through the UN regular budget, rather than the peacekeeping budget where the U.S. assessment is higher, set the stage for undermining this constraint on the regular budget. These proposed UN missions were expensive, and the other member states insisted that they be funded through an increase in the overall UN regular budget rather than by forcing politically difficult fights over what programs should be cut to finance the new missions.

In the end, the U.S. acquiesced to an increased budget. Once the zero growth budget policy was abandoned, it opened the floodgates. The UN regular budget has more than doubled in the past 10 years. It is past time to rein this budget in.

The first step in this process is to reestablish the zero growth policy and identify the baseline for zero growth. Congress could use the dollar level the first year of the 2010–2011 UN biennial budget or another amount. Once established, Congress should instruct the Administration to use its “voice and vote” to oppose any increase in overall resources the UN regular budget beyond the baseline. This freeze would, through inflation, gradually reduce the size of the budget.

However, it would also leave intact the current funding structure of the regular budget, which funds a number of activities that it should not. Specifically, the UN regular budget is broken down into 36 budget lines (or fascicles).¹⁸ When examining the UN regular budget, it is quickly apparent that most fascicles fund activities that should be independently supported by the member states. For instance, the UN regular budget for 2010–2011 provides over \$500 million for the Economic Commission for Africa, the Economic and Social Commission for Asia and the Pacific, the Economic Commission for Europe, the Economic Commission for Latin America and the Caribbean, and the Economic and Social Commission for Western Asia. Each of these commissions claims to contribute to the economic development by promoting cooperation and integration. This may be a fine goal, but how is it unique and additive to the efforts of the World Trade Organization, the International Monetary Fund, the World Bank Group, the regional development banks, the European Union, the African Union, ASEAN, and the other dozen or so UN organizations that also try to promote economic development and cooperation? This is an open question at best.

There may be a demand for the activities of the Economic Commissions, but it is hard to determine because they receive funding primarily through the assessed UN regular budget of which the U.S. pays 22 percent (\$110 million for the economic commissions in 2010–2011). The US should demand that these organizations be spun out of the regular budget and forced to support themselves through voluntary contributions as do other UN organizations. If they provide a valued service, they will attract support. If not, they will adapt or wither.

¹⁸ United Nations Fifth Committee, “Proposed programme budget for the biennium 2010-2011,” A/64/6 Sections 1-36, available at <http://www.un.org/en/ga/fifth/64/ppb1011sg.shtml>.

Some fascicles actually provide funding to largely autonomous UN organizations that receive independent funding. In most cases, the amount of funding they receive from the UN regular budget is a small fraction of their overall budget. For instance:

- The UN Environment Program (UNEP) receives \$14.3 million from the 2010–2011 UN regular budget, but was projected to receive over \$420 million in voluntary extrabudgetary funding.
- The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) in the Near East was provided \$48.6 million from the 2010–2011 UN regular budget, but was projected to receive over \$2 billion in voluntary extrabudgetary funding.

The UN Agency for Human Settlements (HABITAT), the United Nations Office on Drugs and Crime (UNODC), the Office of the United Nations High Commissioner for Refugees (UNHCR), and the Office for the Coordination of Humanitarian Affairs (OCHA) all were projected to receive less than 10 percent of their funding from the UN regular budget.

These organizations may do good and valuable work, but funding them through the UN regular budget is unnecessary. Moreover, the amounts are minimal compared to their other sources of funding. The U.S. should try to focus the UN regular budget on supporting the direct activities of the main bodies of the UN (the Security Council, General Assembly, International Court of Justice, and the Secretariat) and have indirect activities, such as commissions, be funded independently. Such an effort could result in the UN regular budget being reduced by 20 percent to 30 percent. The U.S. would then have the option of keeping its proportional share of these funds or providing them voluntarily to the same or other UN organizations.

Fascicles supporting activities directly related to the operation of the main UN bodies deserve to be included in the regular budget. However, even there, opportunities for saving millions of dollars remain unimplemented. For instance, the UN spends enormous amounts on translation, editing, printing, and publishing documents. Secretary-General Kofi Annan proposed relocating or outsourcing these activities to lower cost locals in 2006.¹⁹ Little has been done to follow through on this recommendation. Similarly, the UN conference budget is enormous. Opportunities for telecommuting and other cost cutting should be investigated.

Reinstate the Mandate Review and Insist on Sunsetting UN Mandates. Moreover, there is a general unwillingness on the part of the member states to prioritize UN regular budget expenditures to accommodate new concerns. The General Assembly passed the 2005 Outcome Document, which instructed the Secretary-General to provide “analysis and recommendations, including on the opportunities for programmatic shifts that could be considered for early General Assembly consideration.”²⁰ The Secretary-General created a Mandate Registry²¹ to provide, for

¹⁹ United Nations Secretary-General, “Investing in the United Nations: For a Stronger Organization Worldwide,” A/60/692, March 7, 2006, at <http://www.un.org/reform/investinginun/investing-in-un.shtml>.

²⁰ UN General Assembly, “2005 World Summit Outcome,” A/RES/60/1, para. 163(b), October 24, 2005, at <http://unpan1.un.org/intradoc/groups/public/documents/UN/UNPAN021752.pdf>

²¹ As the UN noted, “Mandates are not easily defined or quantifiable; a concrete legal definition of a mandate does not exist. Guided by the Summit Outcome Document and subsequent discussions, and in order to facilitate the current mandate review exercise, we have, however, identified an agreed upon...working definition: a mandate is a request or a direction for action by the UN Secretariat or other implementing entity, that derives from a resolution of the General Assembly or one of the other relevant organs.” United Nations, Mandate Registry, “Frequently Asked Questions,” at <http://webapps01.un.org/mandatereview/displayFAQ.do;jsessionid=2064543609EFB82F18FD1B010743695F>

the first time, a comprehensive list of the more than 9,000 individual mandates of the General Assembly, Security Council, and ECOSOC. However, he did not identify specific mandates for elimination or recommend programs or activities to be sunset or eliminated.

While halting and weak, this process was immensely revealing of the need for the review and illustrated the difficulties involved in trying to eliminate outdated or irrelevant mandates. For example:

- *Mandates dating back decades remain active.* For instance, according to the registry, there is an active, recurrent mandate adopted in 1946 regarding “the possible transfer of certain functions, activities and assets of the League of Nations.” A 1956 resolution, renewed within the past five years, calls on the UN to assist a committee examining the “effects of atomic radiation.” This mandate became largely redundant in 1957 with the creation of the International Atomic Energy Agency (IAEA), but it remains in effect.
- *Lack of implementation.* Opposition by a number of member states has stalled the mandate review. The mandate registry has not been updated since 2006. Only a very small number of mandates have been eliminated.²² The most recent report from the co-chairmen of the mandate review was issued in August 2008. It concluded that only 155 (56 percent) of the 279 mandates in the Humanitarian cluster were “current and relevant” and that only 18 (35 percent) of the 52 mandates in the African Development cluster were current and relevant.²³ There is no evidence that these outdated or irrelevant mandates have been terminated or altered to improve their relevance. In a sad twist, the General Assembly and the Secretariat have instead quietly killed the mandate review process because it provided a basis and methodology for eliminating mandates.

Lack of progress on reviewing UN mandates greatly inhibits the UN’s ability to allocate funds according to priorities and eliminate unnecessary tasks, personnel, and functions that drain and divert resources. To restore fiscal restraint in the UN regular budget, Congress should:

- **Restore the U.S. policy of zero growth for the UN regular budget.** The U.S. zero growth policy for the UN budget helped to constrain growth in the late 1980s and 1990s. Congress should endorse a zero nominal growth policy, establish a baseline for the UN regular budget as the dollar cap that the U.S. will pay for assessed contributions to the UN regular budget for future years, and instruct the Administration to use its “voice and vote” to oppose any increase in overall resources and staff for the UN regular budget.
- **Hold hearings on the UN regular budget and insist that the Administration seek to end the practice of funding non-core activities through that budget.** Focusing the UN regular budget on supporting the activities of the main bodies of the UN could result in the UN regular budget being reduced by 20 percent to 30 percent. Seeking cost savings through outsourcing, telecommuting, and other measures proposed in previous UN reports should also be explored.

²² The latest progress in actually eliminating mandates is from 2006: “To date, out of the 399 non-renewed mandates older than five years to be examined, only 69 have been agreed by all Member States to be completed and put aside.” See Irene Martinetti, “Sluggish Progress on UN Mandate Review,” Center for UN Reform Education *UN Reform Watch* No. 18, August 16, 2006, at <http://www.centerforunreform.org/node/62>

²³ UN General Assembly, “Mandate Review: Co-Chairs’ Report,” August 8, 2008, p. 3, at <http://www.un.org/ga/president/62/letters/cochairsmandatereview080808.pdf>.

- **Establish a stronger relationship between UN budget decisions and financial contributions.** The divorce between obligations and decision-making is perhaps the greatest cause of the decades-long intransigence on UN reform. If the UN is to be a more effective, efficient, and accountable body, budgetary decision making must be linked to financial responsibilities. One way is for the UN to adopt a system of voting on budgetary matters that gives major donors a greater say in budgetary decisions.²⁴ If that is not possible, at least the financial burden should be spread across UN membership more evenly by adjusting the scale of assessments.
- **Insist that the UN revitalize the mandate review.** A robust review of UN mandates accompanied by U.S. demands that outdated, irrelevant, or duplicative mandates be eliminated could save tens, even hundreds, of millions of dollars. To support this, Congress should seek to have the UN adopt sunset clauses for all mandates so that they that would automatically terminate after the biennium unless they have been certified as relevant by the review.
- **Keep the U.S. account current.** The UN has retained funds owed to American taxpayers from the Tax Equalization Fund and possibly from other accounts.²⁵ These funds involve hundreds of millions of dollars. Congress should pass legislation instructing the Administration to seek reimbursement of all the amounts appropriated by Congress for various purposes in the UN or its affiliated agencies that were not expended at the end of each calendar or fiscal year as appropriate or that are otherwise owed to the U.S.

Increasing UN Oversight and Accountability

Oversight and accountability at the UN has historically been weak. The UN did not have anything even resembling an Inspector General until 1994, when the Office of Internal Oversight Services (OIOS) was created following U.S. demands for such an office. Earlier this decade, three major scandals—the corruption of the Iraqi Oil-for-Food program, sexual abuse committed by UN peacekeepers, and corruption and mismanagement in UN procurement—spurred calls for stronger oversight and accountability.²⁶ The scandals provoked a series of UN reports and resolutions identifying the problems and proposing solutions. Regrettably, these efforts largely have been weak or temporary.

- *Ethics Office and whistleblower protections.* The General Assembly instructed the Secretary-General in 2005 “to scrupulously apply the existing standards of conduct and

²⁴ For more details, see Published on December 15, 2009 by Brett Schaefer, “The U.S. Should Push for Adjustment in UN Dues,” Heritage Foundation WebMemo No. 2735, December 15, 2009, at <http://www.heritage.org/research/reports/2009/12/the-us-should-push-for-adjustment-in-un-dues>.

²⁵ Brett Schaefer, “The UN Should Pay What Its Owes the U.S. from Its Tax Equalization Fund,” Heritage Foundation WebMemo No. 3052, November 8, 2010, at <http://www.heritage.org/research/reports/2010/11/the-un-should-pay-what-its-owes-the-us-from-its-tax-equalization-fund>.

²⁶ For information on these issues, see Independent Inquiry Committee, “Documents,” at www.iic-offp.org/documents.htm; U.S. Government Accountability Office, “United Nations: Lessons Learned from Oil for Food Program Indicate the Need to Strengthen UN Internal Controls and Oversight Activities,” GAO-06-330, April 25, 2006, at www.gao.gov/new.items/d06330.pdf; U.S. Government Accountability Office, “United Nations: Procurement Internal Controls Are Weak,” GAO-06- 577, April 27, 2006, at www.gao.gov/new.items/d06577.pdf; and hearing, “United Nations Organization Mission in the Democratic Republic of Congo: A Case for Peacekeeping Reform,” Subcommittee on Africa, Global Human Rights and International Operations, Committee on International Relations, U.S. House of Representatives, 109th Cong., 1st Sess., March 1, 2005, at http://commdocs.house.gov/committees/intlrel/hfa99590.000/hfa99590_0f.htm.

develop a system-wide code of ethics for all United Nations personnel [and] submit details on an ethics office with independent status.”²⁷ The Secretary-General adopted a whistleblower protection policy in 2005, and the General Assembly approved resources for a new Ethics Office charged with enforcing that policy. Regrettably, the authority of the Ethics Office was quickly crippled in a dispute with the UN Development Program. When UNDP fired a whistleblower in March 2007, the Ethics Office investigated and concluded that the firing was retaliatory. UNDP rejected the conclusions of the Ethics Office and rejected its authority over UNDP. Secretary-General Ban Ki-moon sided with UNDP against his own Ethics Office and released a bulletin allowing each “separately administered organ or programme” to establish its own Ethics Office equivalent and its own ethics standards and procedures.²⁸ As observed by the Government Accountability Project, which is dedicated to defending whistleblowers and enhancing whistleblower protections,

whistleblower policies at the UN Secretariat, UNDP, WFP, UN Children’s Fund (UNICEF) and UN Population Fund (UNFPA), [are] inconsistent, weakened by arbitrary loopholes and, on the whole, less comprehensive than the original UN policy established in 2005. These policies should be rewritten to, at a minimum, meet the standards set out in the original UN policy.²⁹

- *Financial disclosure.* UN financial disclosure requirements on UN staff above a certain level were adopted in 2006.³⁰ Most UN employees subject to disclosure requirements submit their forms and summaries are posted online.³¹ However, public disclosure of financial interests is entirely voluntary. In most cases, covered UN employees submit the following statement: “In accordance with General Assembly Resolution A/RES/60/238, I have chosen to maintain the confidentiality of the information disclosed by me in order to comply with the Financial Disclosure Programme.” Even those choosing to disclose some information typically provide only the broadest details, such as stating that they own a home or have a checking account.

The weak nature of the financial disclosure policy is troubling. As the Secretary-General notes, disclosure “demonstrates that UN staff members understand the importance of the general public and UN Member States being assured that, in the discharge of their official duties and responsibilities, staff members will not be influenced by any consideration associated with his/her private interests.”³² The unwillingness of the Secretary-General to require even a minimum level of public financial disclosure for high-level UN officials undermines accountability and, considering UN privileges and immunities, inhibits the ability of national authorities to investigate alleged crimes and wrongdoing.

²⁷ UN General Assembly, “2005 World Summit Outcome,” A/RES/60/1, para. 161(d).

²⁸ Secretary-General’s bulletin, “United Nations system-wide application of ethics: separately administered organs and programmes,” ST/SGB/2007/11, November 30, 2007.

²⁹ Government Accountability Project, “United Nations,” at <http://www.whistleblower.org/program-areas/international-reform/united-nations>.

³⁰ Secretary-General’s bulletin, “Financial disclosure and declaration of interest statements,” ST/SGB/2006/6, April 10, 2006.

³¹ United Nations, “Ethical Standards: Voluntary Public Disclosure of Financial Disclosure and Declaration of Interest Statements,” 2009, at http://www.un.org/sg/PublicDisclosure_2009.shtml

³² Secretary-General, “Ethical Standards: Voluntary Public Disclosure of Financial Disclosure and Declaration of Interest Statements,” at <http://www.un.org/sg/PublicDisclosure.shtml>.

- *Procurement Task Force (PTF)*. When the extent of UN fraud and mismanagement under the Iraqi Oil-for-Food program became clear, the U.S. was able to convince the UN to create the United Nations Procurement Task Force to investigate and pursue allegations of fraud and mismanagement. The PTF began work in January 2006 and over the next three years uncovered fraud, waste, and mismanagement in UN procurement and other activities involving contracts valued at more than \$630 million. The evidence unearthed by the PTF led to misconduct findings against 17 UN officials and the conviction of a senior UN procurement official. Regrettably, the PTF did its job too well. As punishment for pursuing cases against Singaporean and Russian nationals, those countries led a successful effort to eliminate the PTF in December 2008.³³

Across the board, UN oversight and auditing capabilities suffer from insufficient resources, political pressure and a lack of institutional support. Indeed, a recent report by the UN's Joint Inspection Unit concluded that UN auditors are under-qualified, under-resourced, and lack institutional support.³⁴ Although the UN has a few other oversight bodies (the Joint Inspection Unit, the Independent Audit Advisory Committee, and the Board of Auditors) the day to day tasks of oversight and investigations fall to the OIOS. As detailed in a leaked internal report to Secretary-General Ban Ki-Moon from Under-Secretary-General Inga-Britt Ahlenius, who was in charge of the OIOS until last summer, the OIOS is subject to political pressure that undermines its independence. Among the harsh assessments relayed by Ahlenius:

There is no transparency, there is lack of accountability. Rather than supporting the internal oversight which is the sign of strong leadership and good governance, you have strived to control it which is to undermine its position. I do not see any signs of reform in the Organization.

I regret to say that the [UN] Secretariat now is in a process of decay. It is not only falling apart into silos—the secretariat is drifting, to use the words of one of my senior colleagues. It is drifting into irrelevance....

Your actions are not only deplorable, but seriously reprehensible. No UN Secretary-General before you has questioned the authority delegated to the [undersecretary-general of OIOS] to appoint the staff in OIOS. Your action is without precedent and in my opinion seriously embarrassing for yourself.³⁵

The absence of a truly independent UN inspector general is a serious problem as is the ad hoc and weak nature of UN transparency and accountability. It underscores the UN's irresponsibility in refusing to extend the mandate of the independent Procurement Task Force, which was taking great strides in uncovering mismanagement, fraud, and corruption in UN

³³ Brett Schaefer, "The Demise of the UN Procurement Task Force Threatens Oversight at the UN," Heritage Foundation WebMemo No. 2272, February 5, 2009, at <http://www.heritage.org/Research/Reports/2009/02/The-Demise-of-the-UN-Procurement-Task-Force-Threatens-Oversight-at-the-UN>

³⁴ See Joint Inspection Unit, "The Audit Function in the United Nations System," JIU/REP/2010/5, Geneva 2010, at http://www.foxnews.com/projects/pdf/Audit_Function_in_the_UN_System.pdf. For a news story discussing the report, see George Russell, "UN Auditors are Under-Qualified, Overstretched, Say Inspectors," January 14, 2011, at <http://www.foxnews.com/world/2011/01/14/auditors-qualified-stretched-say-inspectors/>.

³⁵ Colum Lynch, "Blistering insider memo describes UN chief's actions as 'seriously reprehensible'," July 19, 2010, at http://turtlebay.foreignpolicy.com/posts/2010/07/19/blistering_insider_memo_describes_un_chief_s_actions_as_seriously_reprehensible.

procurement. Since the PTF's demise, its investigations have fallen to the OIOS to pursue. But those investigations into mismanagement, fraud, and corruption have not been actively pursued.³⁶

The UN needs more transparency, accountability and independent oversight and the U.S. should insist on it. To address this, Congress should:

- **Demand that the UN adopt a rule mandating that UN officials publicly disclose in some detail their financial disclosure reports and permitting law enforcement authorities access to the full financial disclosure information upon formal request.** The policy was adopted to increase transparency and accountability, but the implementation has only served to continue past opacity.
- **Enhance UN ethics standards and whistleblower protections.** Congress and the Administration should solicit advice from experts on whistleblower and ethics standards on how to improve UN rules, regulations, and practices and apply them across the UN system.
- **Demand independent funding for the OIOS and clear authority for the Under-Secretary-General to hire and fire staff.** The Ahlenius report revealed that she felt that the independence and integrity of the OIOS was under assault by the Secretariat. The duties of an inspector general require independence and the OIOS needs to be insulated from political interference in the conduct of its duties. As observed by the Government Accountability Office, "UN funding arrangements constrain OIOS's ability to operate independently as mandated by the General Assembly and required by international auditing standards that OIOS has adopted."³⁷ This continues to be a problem that Congress should seek to address. OIOS reports should also be made, as a standard procedure, publicly available on its website.

UN Peacekeeping

One of the United Nation's primary responsibilities is to help to maintain international peace and security. UN peacekeeping debacles in the 1990s led to a necessary reevaluation of UN peacekeeping. However, as troubling situations have arisen in recent years, many of them in Africa, the Security Council has found itself under pressure to respond and "do something" even though it may violate the central lesson learned in the 1990s that "the United Nations does not wage war."

In total, at the end of November 2010, the UN peacekeeping involved than 123,000 personnel involved in UN peacekeeping, political, or peace-building operations, including international and local civilian personnel and UN volunteers. The UN is currently overseeing the deployment of more uniformed personnel than any single nation, except the United States, has outside of its borders. As a result, UN peacekeeping is now being conducted with unprecedented pace, scope, and ambition. Increasing demands have revealed ongoing, serious flaws.

³⁶ As reported just last week, "The acting chief of the U.N. division that investigates wrongdoing in the world body is currently under investigation himself for allegedly retaliating against two whistle-blowers." USA Today, "U.N. investigations chief under investigation," January 19, 2011, at http://www.usatoday.com/news/world/2011-01-19-united-nations-probe_N.htm.

³⁷ Government Accountability Office, "United Nations: Funding Arrangements Impede Independence of Internal Auditors," GAO-06-575, April 2006, at <http://www.gao.gov/new.items/d06575.pdf>.

- *Audits and investigations over the past few years have revealed substantial mismanagement, fraud, and corruption in procurement for UN peacekeeping.* An OIOS audit of \$1 billion in UN peacekeeping procurement contracts over a six-year period found that at least \$265 million was subject to waste, fraud, or abuse.³⁸ According to a 2007 OIOS report, an examination of \$1.4 billion of peacekeeping contracts turned up “significant” corruption schemes that tainted \$619 million (over 40 percent) of the contracts.³⁹ An audit of the UN mission in Sudan revealed tens of millions of dollars lost to mismanagement and waste and substantial indications of fraud and corruption.⁴⁰ Moreover, the OIOS revealed in 2008 that it was investigating approximately 250 instances of wrongdoing ranging from sexual abuse by peacekeepers to financial irregularities. According to Inga-Britt Ahlenius, former head of the OIOS, “We can say that we found mismanagement and fraud and corruption to an extent we didn’t really expect.”⁴¹
- *Incidents of sexual exploitation and abuse by UN peacekeepers and civilian personnel are widespread and often go unpunished.* There have been numerous reports of UN personnel committing serious crimes and sexual misconduct, from rape to the forced prostitution of women and young girls. UN personnel have also been accused of sexual exploitation and abuse in Bosnia, Burundi, Cambodia, Congo, Democratic Republic of Congo, Guinea, Haiti, Kosovo, Liberia, Sierra Leone, and Sudan.⁴² The U.S. and other member states successfully pressured the UN to adopt stricter requirements for peacekeeping troops and their contributing countries. Contact and discipline teams are now present in most UN peacekeeping missions, and troops are now required to undergo briefing and training on behavior and conduct.⁴³ However, these crimes continue⁴⁴ and

³⁸ United Nations, “Peacekeeping Procurement Audit Found Mismanagement, Risk of Financial Loss, Security Council Told in Briefing by Chief of Staff,” Press release, February 22, 2006, at <http://www.un.org/News/Press/docs/2006/sc8645.doc.htm>.

³⁹ The task force had looked at only seven of the 18 UN peacekeeping missions that were operational during the investigation. UN Office of Internal Oversight Services, “Report of the Office of Internal Oversight Services on the Activities of the Procurement Task Force for the 18-Month Period Ended 30 June 2007,” October 5, 2007, at http://www.eyeontheun.org/assets/attachments/documents/5522_report_OIOS_activities_procurement_task_force_30_june_2007.doc; George Russell, “Report Details Progress in Battle Against Corruption at UN Office,” Fox News, October 11, 2007, at <http://www.foxnews.com/story/0,2933,301255,00.html>.

⁴⁰ Colum Lynch, “Audit of UN’s Sudan Mission Finds Tens of Millions in Waste,” *The Washington Post*, February 10, 2008, p. A16, at <http://www.washingtonpost.com/wp-dyn/content/article/2008/02/09/AR2008020902427.html>.

⁴¹ Louis Charbonneau, “UN Probes Allegations of Corruption, Fraud,” Reuters, January 10, 2008, at <http://www.reuters.com/article/latestCrisis/idUSN10215991>.

⁴² See Kate Holt and Sarah Hughes, “UN Staff Accused of Raping Children in Sudan,” *The Daily Telegraph*, January 4, 2007, at <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/01/03/wsudan03.xml>; Kate Holt and Sarah Hughes, “Sex and the UN: When Peacemakers Become Predators,” *The Independent*, January 11, 2005, at <http://www.stopdemand.org/afawcs0112878/ID=5/newsdetails.html>; and Colum Lynch, “UN Faces More Accusations of Sexual Misconduct,” *The Washington Post*, March 13, 2005, p. A22, at <http://www.washingtonpost.com/wp-dyn/articles/A30286-2005Mar12.html>.

⁴³ United Nations Contact and Discipline Unit, “About CDU: Conduct and Discipline Teams,” at <http://cdu.unlb.org/AboutCDU/ConductandDisciplineTeams.aspx>.

⁴⁴ Corinna Csáky, “No One to Turn to: The Under-Reporting of Child Sexual Exploitation and Abuse by Aid Workers and Peacekeepers,” Save the Children, 2008, at http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/27_05_08_savethechildren.pdf. See also BBC News, “Peacekeepers ‘Abusing Children,’” May 27, 2008, at http://news.bbc.co.uk/2/hi/in_depth/7420798.stm; and UN News Center,

the UN reported that allegations of sexual exploitation and abuse by UN civilian and uniformed personnel totaled 106 in 2009 and 83 in 2010.⁴⁵

The U.S. should support UN peacekeeping operations when they further America's national interests. legitimate questions must be asked as to whether the UN should be engaging in the current number of missions and whether these situations are best addressed through the UN or through regional, multilateral, or *ad hoc* efforts.

UN peacekeeping operations can be useful and successful if employed with an awareness of their limitations and weaknesses. This awareness is crucial because the demand for UN peacekeeping shows little indication of declining in the foreseeable future. This requires the U.S. to press for substantial changes to address serious problems with UN peacekeeping. Without fundamental reform, serious problems will likely continue and expand, undermining the UN's credibility and ability to accomplish the key mission of helping to maintain international peace and security. To address this, Congress should:

- **Evaluate long-running UN peacekeeping missions.** The U.S. should reevaluate all UN operations that date back to the early 1990s or earlier—some date back to the 1940s—to determine whether the UN mission is contributing to resolving the situation or retarding that process. If an operation is not demonstrably facilitating resolution of the situation, the UN should emulate the UN Peacekeeping Force in Cyprus (UNFICYP) model in which Greece and Cyprus pay for over 40 percent of the mission's cost. Stakeholders wishing to continue UN peacekeeping operations that have not resolved the conflicts despite being in place for decades should be asked to assume the financial burden of the continued operation. These missions are generally small and among the least costly, but such a re-evaluation would help reduce the enormous peacekeeping budget and send a welcome message of accountability and assessment that too often has been lacking in the rubber-stamp process of reauthorizing peacekeeping operations. Together, five of the older UN missions (MINURSO, UNFICYP, UNDOF, UNMOGIP, and UNTSO) cost nearly \$243 million. If the U.S. could shift these missions to voluntary funding, the U.S. could save over \$54 million per year and, perhaps, focus the most affected parties on resolving these outstanding disputes.
- **Build up peacekeeping capabilities around the world, particularly in Africa.** The UN has no standing armed forces and is entirely dependent on member states to donate troops and other personnel to fulfill peace operation mandates. This is appropriate. Nations should maintain control of their armed forces and refuse to support the establishment of armed forces outside of direct national oversight and responsibility. However, the current arrangement results in an *ad hoc* system plagued by delays and other shortfalls. Congress should support increasing peacekeeping resources under its Global Peace Operations Initiative, which has significantly bolstered the capacity and capabilities of regional troops, particularly in Africa, to serve as peacekeepers for the UN, the African Union or other coalitions.

"UN Team Looking into Alleged Sexual Misconduct by Blue Helmets in DR Congo: MONUC Peacekeepers on Patrol in the DRC," July 24, 2009, at <http://www.un.org/apps/news/story.asp?NewsID=31574>.

⁴⁵ United Nations Contact and Discipline Unit, "Statistics Allegations for All Categories of Personnel Per Year (Sexual Exploitation and Abuse)," at <http://cdu.unlb.org/Statistics/AllegationsbyCategoryofPersonnelSexualExploitationandAbuse/AllegationsforAllCategoriesofPersonnelPerYearSexualExploitationandAbuse.aspx>.

- **Enforce standards of conduct for civilian and military personnel participating in UN peace operations.** If the UN is to end sexual exploitation, abuse, and other misconduct by peacekeepers, it must do more than adopt a UN code of conduct, issue manuals, and send abusers home. The abusers and their governments must face real consequences to create incentives for effective enforcement. Member states must commit to investigate, try, and punish their personnel in cases of misconduct. UN investigatory units need to be independent, quick to deploy, and possess ample capabilities and authority to investigate situations, including full cooperation by mission personnel and access to witnesses, records, and sites where crimes occurred so that trials can have sufficient evidence to proceed. Equally important, the UN needs to be stricter in holding member countries to these standards. States that fail to fulfill their commitments to discipline their troops should be barred from providing troops for peace operations.

Congress needs to consider carefully any UN requests for additional funding for a system in which procurement problems have wasted millions of dollars and sexual abuse by peacekeepers is still unacceptably high and often goes unpunished. Indeed, the decision by the Administration and Congress to pay U.S. arrears to UN peacekeeping without demanding reforms sent entirely the wrong message and removed a powerful leverage point for encouraging reform. Without fundamental reform, these problems will likely continue and expand, undermining the UN's credibility and ability to maintain international peace and security.

The UN Human Rights Council

The UN Human Rights Council was created in 2006 to replace the UN Commission on Human Rights, which had failed to hold governments to account for violating basic human rights and fundamental freedoms. During negotiations to establish the Human Rights Council, many basic reforms and membership standards were proposed to ensure that the council would not simply repeat the commission's failures, but few reforms received sufficient support in the General Assembly.⁴⁶ As a result, the council has performed no better—and in some ways worse—than the commission it replaced.

Anticipating this outcome, the Bush Administration decided not to seek a seat on the council in 2006. Based on the council's subsequent disappointing record, the U.S. again declined to seek a seat in 2007 and 2008. The Bush Administration also withheld a portion of the U.S. contribution to the UN regular budget (equivalent to the part that would be allocated to the council) and distanced itself from the council's proceedings except in instances of "deep national interest."⁴⁷

The Obama Administration disagreed with the Bush Administration policy. It sought and won a seat on the council in 2009. Although the U.S. has been able to usher some positive

⁴⁶ For a more detailed account, see Brett D. Schaefer, "The United Nations Human Rights Council: Repeating Past Mistakes," Heritage Foundation Lecture No. 964, September 19, 2006 (delivered September 6, 2006), at <http://www.heritage.org/Research/Lecture/The-United-Nations-Human-Rights-Council-Repeating-Past-Mistakes>.

⁴⁷ Sean McCormack, "Daily Press Briefing, Spokesman," U.S. Department of State, June 6, 2008, at <http://2001-2009.state.gov/r/pa/prs/dpb/2008/jun/105716.htm>, and Zalmay Khalilzad, statement on the Durban II Conference and the Human Rights Council to the Conference of Presidents of Major Jewish Organizations, April 8, 2008, at <http://www.eyeontheun.org/assets/attachments/documents/6581.doc>. For a summary of Bush Administration policy regarding the council, see Luisa Blanchfield, "The United Nations Human Rights Council: Issues for Congress," Congressional Research Service Report for Congress, June 1, 2009, pp. 11–12, at <http://www.fas.org/sgp/crs/row/RL33608.pdf>.

resolutions through the council, such as the establishment of a UN Special Rapporteur on freedom of assembly and association, and to support resolutions addressing some human rights situations, the more fundamental problems of the Human Rights Council remain. Specifically:

- *Bias against Israel.* Since 2006, the council has adopted 67 country specific resolutions, of which 32 focused on Israel.⁴⁸ U.S. membership on the council has not stopped this bias. In 2010, over U.S. objections, the council adopted eight new resolutions condemning Israel or its actions.⁴⁹ In addition, the council has held 12 special sessions since 2006 that focused on country situations with half of the sessions focused on condemning Israel. The most recent of these special sessions was held in 2009—after the U.S. became a member—to discuss the UN Human Rights Council Fact Finding Mission on the Gaza Conflict (the Goldstone Report), which has been criticized as “deeply flawed” and biased against Israel by the Obama Administration.⁵⁰
- *Unwillingness to confront numerous serious human rights violations.* Since the U.S. was elected to a seat, the council has passed resolutions addressing human rights situations in Cambodia, Honduras, Somalia, and Sudan. However, these actions are either low-hanging fruit or tread ground already traveled by the council in previous resolutions. Despite U.S. membership, the council continues to ignore human rights violations by many serious perpetrators, including Algeria, China, Cuba, Egypt, Iran, Libya, Pakistan, Saudi Arabia, Venezuela, and Zimbabwe. In fact, in the 2010 election, seven countries with dubious human rights records (Libya, Angola, Malaysia, Thailand, Uganda, Mauritania, and Qatar) were elected to the council even though they have been criticized by human rights groups for violating the rights of their citizens.⁵¹ All of these countries received overwhelming support from the UN membership in the May 13 election. Even Libya received support from 155 of 192 UN member states.
- *Provide support to efforts that undermine human rights and fundamental freedoms.* For instance, the Human Rights Council has repeatedly adopted resolutions recognizing and promoting bans on the “defamation of religions.”⁵² The proponents of these resolutions seek to ban all criticism of religion, regardless of context or setting, and the text of the

⁴⁸ “Human Rights Actions,” Eye on the UN, at www.eyeontheun.org.

⁴⁹ Human Rights Council, Sessions 13, 14 and 15, at <http://www2.ohchr.org/english/bodies/hrcouncil/>.

⁵⁰ “We continue to believe that the Report of the UN Fact-Finding Mission on the Gaza Conflict, widely known as the Goldstone Report, is deeply flawed. We have previously noted shortcomings that include its unbalanced focus on Israel, the negative inferences it draws about Israel’s intentions and actions, its failure to deal adequately with the asymmetrical nature of the Gaza conflict, and its failure to assign appropriate responsibility to Hamas for deliberately targeting civilians and basing itself and its operations in heavily civilian-populated urban areas.” Alejandro Wolff, statement on a UN General Assembly Resolution on the UN Fact-Finding Mission on the Gaza Conflict, U.S. Mission to the United Nations, February 26, 2010, at <http://usun.state.gov/briefing/statements/2010/137331.htm>.

⁵¹ See Antoine Blua, “Rights Groups Dismayed over Libya’s Election to UN Human Rights Council,” Radio Free Europe/Radio Liberty, May 13, 2010, at <http://www.rferl.org/articleprintview/2041110.html>, and Edith M. Lederer, “UN Elects Rights Violators to Human Rights Council,” Associated Press, May 13, 2010, at <http://abcnews.go.com/US/wireStory?id=10637202>. For detailed accounts of the human rights records of these individual countries, see U.S. Department of State, 2009 Country Reports on Human Rights Practices, March 11, 2010, at <http://www.state.gov/g/drl/rls/hrrpt/2009/index.htm>.

⁵² Steven Groves, “Why the U.S. Should Oppose ‘Defamation of Religions’ Resolutions at the United Nations,” November 10, 2008, Backgrounder No. 2206, at <http://www.heritage.org/research/reports/2008/11/why-the-us-should-oppose-defamation-of-religions-resolutions-at-the-united-nations>.

resolutions endorses restrictions on the fundamental rights to freedom of religion and expression.

In short, the HRC's performance with the U.S. as a member has been virtually indistinguishable from its previous performance without the U.S. as a member. However, one significant aspect has changed: Now the council can claim added legitimacy for its decisions and resolutions—many of which the U.S. does not support—because the U.S. supports the institution and is a member.

The council's performance is unlikely to improve without drastic reforms to improve its membership, such as barring states with grave human rights violations from membership and requiring competitive elections. The best opportunity to implement such reforms will be at the UN General Assembly's mandatory five-year review of "the status of the Council," which is required by the resolution that created the council. The review must be conducted in 2011. To provide backing to U.S. efforts to reform the Human Rights Council, Congress should:

- **Withhold U.S. funding to the Human Rights Council until serious membership criteria are adopted.**⁵³ Without serious and strict membership standards, the council will continue to disappoint.⁵⁴
- **Withhold a portion of U.S. funding to the UN regular budget until the General Assembly ends the practice of funding the council and other UN human rights activities through the UN regular budget.** Many of these activities are worthy of support, but this practice shields bodies like the Human Rights Council from congressional action. Discrete UN bodies should have independent funding to enable member states to express their support or dissatisfaction directly.

Other UN Organizations

There are dozens independent and semi-autonomous organizations and bodies in the UN system that receive billions of U.S. taxpayer dollars each year. No organization is without problems, few are without any positive elements. Too often, however, the U.S. fails to ensure that the benefits of these organizations meet their costs.

Congress should assess the merits and extent to which each organization support U.S. interests. This process should inform every authorization and appropriations decision. Congress may decide that some of them provide vital services that serve U.S. interests and those of other nations. Some of the more technical UN organizations perform low key, but useful tasks. Other UN organizations provide little benefit to justify U.S. contributions. For instance, few, if any, U.S. interests were harmed by the absence of the U.S. from UNESCO for two decades. Few, if any, core U.S. interests have been significantly advanced since our return to UNESCO in 2003. The dubious merits of UNESCO membership cost US taxpayers \$81 million in 2010.

⁵³ The legislation is largely symbolic because the U.S. cannot directly withhold money from the Council, only an equivalent amount from its contribution to the UN regular budget. But its passage sends a signal to other countries that Congress, not just the Administration, is displeased with the activities "defunded" in this manner even if they can not be targeted directly.

⁵⁴ For suggestions on membership criteria, see Brett Schaefer, "Elections for UN Human Rights Council Underscore the Need for Reform," Backgrounder No. 2417, June 2, 2010, at <http://www.heritage.org/research/reports/2010/06/elections-for-un-human-rights-council-underscore-the-need-for-reform>.

Congress should also keep in mind that voluntarily funded organizations are, generally, more responsive to the concerns of the member states because they know that a member state could choose to reduce or suspend funding if it ignores the concerns raised by that country. Organizations funded through assessed budgets are generally less responsive and, with the U.S. State Department concurring, insist that the U.S. is under a legal obligation to pay them regardless of U.S. concerns. Although Congress has ignored this argument repeatedly in the past, it carries weight. Shifting activities funded currently through assessed budgets to voluntary funding make it easier for Congress to support programs that it wishes and withhold funding for those it does not. Having UN organizations compete for funding would also contribute to efficiency and effectiveness and improve responsiveness to member state requests. With this in mind, Congress should:

- **Seek to shift funding for UN activities and organizations to voluntary contributions rather than assessed budgets.** History has shown that reforming UN organizations and reducing budgets is extremely difficult through diplomatic efforts alone. Financial leverage through legislative withholding can provide the stick necessary for progress in some instances. However, this is a blunt instrument and Congress cannot legislate every change necessary for every UN organization or body. Withholding can also create difficulty for the U.S. in meeting other objectives. As argued by Ambassador John Bolton, moving to more UN organizations and activities toward voluntary funding would resolve a number of problems and enhance America's ability to fund those UN organizations or activities it deems worthwhile and defunding those it does not.⁵⁵
- **Insist that all UN organizations permit the U.S. unfettered access to all audits, internal documents and other relevant information.** There is a troubling lack of transparency in many UN-affiliated organizations that impedes U.S. oversight. For instance, even though the U.S. is a major, and often the largest, financier of these organizations and generally sits on their executive boards, organizations such as UNDP and the World Food Program refuse to allow the U.S. full and complete access to their internal documents.⁵⁶ This opacity impedes proper governance and oversight of the organization.
- **Reduce U.S. voluntary funding to the UN system.** The co-chairs of the President's National Commission on Fiscal Responsibility and Reform, suggested reducing U.S. voluntary contributions to the UN system by 10 percent, or about \$350 million, per year.⁵⁷ Congress should heed this recommendation. The amount the U.S. provides in voluntary contributions is entirely at the discretion of the U.S. However, since these funds are voluntary, why not cut them by 25 percent or 50 percent? The cuts, however, should be applied discriminately rather than across the board. Organizations with

⁵⁵ By John R. Bolton, "The Key to Changing the United Nations System," AEI Outlook Series, October 2010, at <http://www.aei.org/outlook/101000>.

⁵⁶ See Brett D. Schaefer and Steven Groves, "Congress Should Withhold Funds from the UN Development Program," Heritage Foundation WebMemo No. 1783, January 26, 2008, at <http://www.heritage.org/Research/Reports/2008/01/Congress-Should-Withhold-Funds-from-the-UN-Development-Program>; and George Russell, "World Food Program's 'Sunshine Policy' Falls Short, UN Oversight Panel Says," Fox News, November 11, 2010, at <http://www.foxnews.com/world/2010/11/11/world-food-programs-sunshine-policy-falls-short-oversight-panel-says/>.

⁵⁷ National Commission on Fiscal Responsibility and Reform, "Co-Chairs' Proposal."

management or policy problems should have their funds cut. Effective, transparent, and cooperative organizations should be rewarded.

Conclusion

Reams of reports on UN reform over the past decade⁵⁸ have resulted in too little action to streamline the UN bureaucracy, reduce expenditures, or improve oversight, transparency, or accountability. UN reforms endorsed by the General Assembly in the 2005 Outcome Document have lain moribund or been poorly designed, implemented, or enforced. In some cases, reforms have been reversed. Specifically, oversight and accountability have been undermined. Transparency and ethics reforms have been adopted, but fecklessly and with little enforcement. Efforts to streamline UN mandates have been abandoned. The Human Rights Council is no better than the Commission it replaced. Peacekeeping remains troubled by misconduct and mismanagement.

The failure to reform the UN has resulted in a system that remains bureaucratic, costly, cumbersome, lacking in oversight, and often incapable of fulfilling the responsibilities placed upon it. These failings sully the reputation of the UN and call into question proposals to give the UN more authority or a more central role in addressing international problems. Without fundamental reform, the problems hindering the UN will likely continue and expand, undermining the UN's ability to support and advance U.S. interests.

Involvement by Congress in pressing for UN reform is entirely appropriate. The power of the purse places clear responsibility on Congress to ensure that U.S. taxpayer dollars are used prudently. History shows that paying U.S. assessments and providing voluntary funds without demanding specific changes removes a powerful leverage point for encouraging reform.

The unfortunate reality is that few countries are interested in making sure that the UN has adequate oversight and accountability, uses its resources efficiently, or in pruning the organization of activities that are outdated, duplicative, or irrelevant. Most pay the UN a pittance and, therefore, have nothing at stake. If the U.S. does not press this issue, no other nation is likely to step forward.

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⁵⁸ Brett Schaefer, "Enough Reports: More Action Needed on UN Reform," Heritage Foundation Backgrounder No. 1988, December 8, 2006, at <http://www.heritage.org/research/reports/2006/12/enough-reports-more-action-needed-on-un-reform>.

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